

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

United States District Court  
Southern District of Texas  
FILED

## CRIMINAL COMPLAINT

Miguel Angel Tijerina-Nunez PRINCIPAL

Case Number:

YOB: 1995

AUG 11 2016

M-16-1506 -M

Mexico

Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 9, 2016 in Starr County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Heriberto Aragon-Sierra and Bernardo Rodriguez-Gallegos, citizens and nationals of Mexico, along with two (2) other undocumented aliens, for a total of four (4), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Roma, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY  
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On August 9, 2016, at approximately 3:00 pm, agents working Aerostat in Roma, Texas, observed a raft, carrying approximately 5 people, illegally crossing the Rio Grande River. The raft was crossing the river south of Burger King Restaurant in Roma, Texas. Moments later, a seismic sensor in the area took several hits. Agent R. Salinas set up surveillance in the Burger King parking lot in an unmarked unit.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by: Linda Requeñez, ASIA  
8/11/16

  
Signature of Complainant

Sworn to before me and subscribed in my presence,

Derek Conrow Senior Patrol Agent  
Printed Name of Complainant

August 11, 2016  
Date

at McAllen, Texas  
City and State

Diana S. Quiroga , U. S. Magistrate Judge  
Name and Title of Judicial Officer

  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-16- 1506 -M**

**RE: Miguel Angel Tijerina-Nunez**

**CONTINUATION:**

At approximately 3:30 pm, Agent Salinas observed a white four door Pontiac sedan drive to the south end of the Burger King parking lot, next to the dumpster. When the Pontiac arrived at the dumpster, Agents Salinas witnessed five people emerge from the brush. Four of the five entered the stationary Pontiac. The fifth person ran south.

As the Pontiac exited the parking lot, Agent Salinas was within five feet of the vehicle as it passed, and was able to see the driver clearly. He requested a marked unit respond to conduct a vehicle stop. Agent C. Sanchez was nearby and followed the vehicle as it drove erratically through a nearby neighborhood, before it came to an abrupt stop in front of a house on a residential street. Everyone inside the Pontiac exited and ran west through the yard.

Agents located the driver, identified as Miguel Angel TIJERINA-Nunez, the passenger, and four illegal aliens hiding nearby. All six people were transported to the Rio Grande Valley Station for processing.

**NOTE:** Miguel Angel TIJERINA-Nunez, was apprehended as the driver of a 1 on 2 Smuggling Case in 2015, and was not prosecuted on that occasion.  
Prosecution of the front seat passenger in the vehicle was not sought.

**PRINCIPAL'S STATEMENT:**

TIJERINA was read his rights. He stated he was willing to provide a statement without the presence of an attorney.

TIJERINA, a citizen of Mexico, stated a man known to him as El Cuake was going to pay him \$230 (USD) per alien he picked up from the Burger King in Roma, Texas. He stated he has worked for him on two prior occasions. TIJERINA told agents he was going to transport the four aliens he picked up to a stash house in Roma, Texas.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-16-1506 -M**

**RE: Miguel Angel Tijerina-Nunez**

**CONTINUATION:**

**MATERIAL WITNESSES' STATEMENTS:**

Both material witnesses were read their rights. Both stated they were willing to provide statements without the presence of an attorney.

1- Heriberto Aragon-Sierra, a citizen of Mexico, stated he was charged \$1,300 (USD) to be smuggled into the United States. The guide who helped him cross the river, also guided him through the brush. On the way to the pick-up location, Aragon overheard the foot guide on the phone say the words Burger King. Moments later, the foot guide told the group the vehicle had arrived and pointed to a white vehicle. Someone from within the vehicle opened the rear doors, and the group jumped in. Aragon identified TIJERINA in a photo lineup as the driver of the vehicle he was transported in

2- Bernardi Rodriguez-Gallegos, a citizen of Mexico, stated he was charged \$1,300 (USD) to be smuggled into the United States. The foot guide helped him cross the brush until they reached a Burger King sign. Once they reached the Burger King, the guide told the group they would be boarding a white car driven by a man in a red shirt. When that vehicle arrived, the guide pointed and told them to get in the car. After leaving the Burger King, TIJERINA, the driver, noticed Border Patrol and told the passenger "Ya no agarraron!" or they caught us. Rodriguez identified TIJERINA in a photo lineup as the driver of the vehicle he was transported in.